



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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Official Agenda for the January 28, 2020  
Special Town Council Meeting called for 6:00 P.M.

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**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. PLEDGE OF ALLEGIANCE**

**D. PRESENTATIONS / TOWN PROCLAMATIONS**

RECOGNITION OF TOWN'S 5K COMMITTEE  
AWARDS PRESENTATION TO THE GOLDEN BEACH YOUTH  
LEADERSHIP GROUP  
SWEARING-IN OF PART-TIME OFFICER CHRISTIAN RICANO

**E. MOTION TO SET THE AGENDA**

ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT  
AGENDA/ AND CHANGES TO AGENDA

**F. GOOD AND WELFARE**

**G. MAYOR'S REPORT**

**H. COUNCIL COMMENTS**

**I. TOWN MANAGER REPORT**

- Film Permit Fees Report

**J. TOWN ATTORNEY REPORT**

**K. ORDINANCES – SECOND READING**

- 1. An Ordinance of the Town Council Amending the Town's Code Chapter 46, Section 46-85 Height of Seawalls and Docks and Extensions of Decks of Docks.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE IV OF CHAPTER 46 ENTITLED WATERWAYS, SEC. 46-85. HEIGHT OF SEAWALLS AND DOCKS AND EXTENSIONS OF DECKS OF DOCKS; TO ALLOW THE DECK OF A DOCK TO BE CONSTRUCTED AT A MINIMUM SEAWALL HEIGHT OF 3.425 NAVD-88 OR AT A MAXIMUM SEAWALL HEIGHT OF

4.425 NAVD-88; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR CODIFICATION; PROVIDING FOR  
CONFLICTS AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 1  
Ordinance No. 591.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 591.19

**L. ORDINANCES - FIRST READING**

None

**M. QUASI JUDICIAL RESOLUTIONS**

None

**N. CIVIC CENTER COMPLEX MASTERPLAN UPDATE**

**O. CONSENT AGENDA**

2. **Official Minutes of the October 15, 2019 Regular Town Council Meeting**
3. **Official Minutes of the November 19, 2019 Local Planning Agency Hearing**
4. **Official Minutes of the November 19, 2019 Regular Town Council Meeting.**
5. **A Resolution of the Town Council Approving An Agreement with David T. Caserta Government Relations, Inc.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A NEW AGREEMENT WITH DAVID T. CASERTA GOVERNMENT RELATIONS, INC. FOR CONSULTING SERVICES FOR THE PERIOD BEGINNING NOVEMBER 1, 2019 THROUGH OCTOBER 31, 2020; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2661.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2661.20

**6. A Resolution of the Town Council Approving the Payment of \$5,000 to the Diabetes Research Institute Foundation's Love and Hope Event.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$5,000.00 TO THE DIABETES RESEARCH INSTITUTE FOUNDATION'S LOVE AND HOPE EVENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 6  
Resolution No. 2662.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2662.20

**7. A Resolution of the Town Council Approving A Mutual Aid Agreement with the Town of Medley.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN OF GOLDEN BEACH AND THE TOWN OF MEDLEY; PROVIDING FOR IMPLEMENTATION; PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 7  
Resolution No. 2663.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2663.20

**8. A Resolution of the Town Council Authorizing A State Revolving Fund (SRF) Loan Request.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RELATING TO THE STATE REVOLVING FUND (SRF) LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 8  
Resolution No. 2664.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2664.20

**P. TOWN RESOLUTIONS**

**9. A Resolution of the Town Council Approving the Proposal from Southeastern Engineering Contractors, Inc. For the Construction of High Tide Improvements.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE PROPOSAL PROVIDED BY SOUTHEASTERN ENGINEERING CONTRACTORS, INC. FOR THE CONSTRUCTION OF HIGH TIDE IMPROVEMENTS WITHIN THE TOWN; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 9  
Resolution No. 2665.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2665.20

**Q. DISCUSSION & DIRECTION TO TOWN MANAGER**

Mayor Glenn Singer:  
None Requested

Vice Mayor Kenneth Bernstein:  
None Requested

Councilmember Judy Lusskin:  
None Requested

Councilmember Jaime Mendal:  
None Requested

Councilmember Bernard Einstein:  
None Requested

Town Manager Alexander Diaz

- Building Regulation Advisory Board Request To Be An Architectural Review Board
- Bus Bays on A1A
- Veterans Memorial at The Strand Boat Dock

**Q. ADJOURNMENT:**

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**DECORUM:**

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COUNCIL SHALL BE BARRED FROM THE COUNCIL CHAMBERS BY THE PRESIDING OFFICER.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACE CARDS SHALL BE ALLOWED IN THE COUNCIL CHAMBERS. PERSONS EXITING THE COUNCIL CHAMBERS SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COUNCIL CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS.

PURSUANT TO FLORIDA STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THAT PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHER INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

IF YOU NEED ASSISTANCE TO ATTEND THIS MEETING AND PARTICIPATE, PLEASE CALL THE TOWN MANAGER AT 305-932-0744 EXT 224 AT LEAST 24 HOURS PRIOR TO THE MEETING.

RESIDENTS AND MEMBERS OF THE PUBLIC ARE WELCOMED AND INVITED TO ATTEND.



## TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, Fl. 33160

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### MEMORANDUM

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**Date:** January 7, 2020

**To:** **Alexander Diaz**  
**Town Manager**

**From:** Marie E. Talley  
Community Development Specialist

**Subject:** **Film Permit Fees Collected**

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I am submitting a report of Film Permit Fees collected for Calendar Year 2019.

As per Ordinance 535.09 Sec. 15-16(e):

Within sixty (60) days of the expiration of a calendar year, the Town Manager shall submit to the Town Council a report detailing all Film Production that took place in the Town during the preceding calendar year. Such report shall include, without limitation, the name of each Permittee to whom a permit was issued and the amount of permit fees collected.

I have attached a report based on fees collected since January 1, 2019.

Film Permits CY2019

Date(s)	Name/Production Co.	Address
Jan. 2019	GB Living Magazine	Various Locations
Jan. 1-20, 2019	521 Golden Beach LLC Esquire Management	521 Ocean Blvd
Jan. 15-16, 2019	Alberto & Rosanna Franco Pirello Digital Imaging	212 South Island Dr
Feb. 2019	GB Living Magazine	Various Locations
Mar. 2019	GB Living Magazine	Various Locations
Mar. 27, 2019	Dan & Hedy Whitebook Overflow Productions, Inc.	155 Ocean Blvd
Mar. 28-29, 2019	Rosanna Franco Assured Partners Northeast LLC	212 South Island Dr
Apr. 2019	GB Living Magazine	Various Locations
Apr. 3, 2019	Sandra Levy The Vault NYC, LLC	577 Ocean Blvd
May. 2019	GB Living Magazine	Various Locations
May. 7, 2019	Jeremy Alters Draft Agency	277 Ocean Blvd
May. 18, 2019	Zvi Shiff Pre-Prom Photo Shoot	660 North Island Dr
May. 22, 2019	Isaac Almosny Pre-Prom Photo Shoot	298 South Parkway
Jun. 2019	GB Living Magazine	Various Locations
Jun. 6, 2019	Ken & Rhoda Israel P Studio Productions LLC	615 Ocean Blvd
Jul. 2019	GB Living Magazine	Various Locations
Jul. 15-17, 2019	Ken & Rhoda Israel Radical Media	615 Ocean Blvd

Jul. 16, 2019	Tom Joyner Select Services	469 Ocean Blvd
Aug. 2019	GB Living Magazine	Various Locations
Sep. 2019	GB Living Magazine	Various Locations
Sep. 20, 2019	Dan Whitebook Select Services	155 Ocean Blvd
Sep. 24-25, 2019	Edith Newman HG Producers	355 Ocean Blvd
Sep. 27, 2019	Pascal Lasry Real GOATS	484 Ocean Blvd
Oct. 2019	GB Living Magazine	Various Locations
Nov. 2019	GB Living Magazine	Various Locations
Nov. 11, 2019	Ken & Rhoda Israel North Six, Inc.	615 Ocean Blvd
Nov. 18, 2019	Sandra Levy MAPS Production	577 Ocean Blvd
Nov. 20, 2019	Bruce Weber & Nan Bush Little Bear, Inc.	325 Ocean Blvd
Nov. 20-21, 2019	Bruce Weber & Nan Bush Little Bear, Inc.	291 Ocean Blvd
Dec. 2019	GB Living Magazine	Various Locations
Dec. 4, 2019	Ken & Rhoda Israel McCray Martin Productions	615 Ocean Blvd

Total



Type of Film Production	Fees Collected
Still Photos	\$ 250.00
Still Photos	\$ 12,950.00
Still Photos/Motion	\$ 3,200.00
Still Photos	\$ 250.00
Still Photos	\$ 250.00
Still Photos	\$ 1,200.00
Still Photos	\$ 1,400.00
Still Photos	\$ 250.00
Motion	\$ 2,000.00
Still Photos	\$ 250.00
Motion	\$ 700.00
Still Photos	\$ 500.00
Still Photos	\$ 250.00
Still Photos	\$ 250.00
Still Photos/Motion	\$ 1,200.00
Still Photos	\$ 250.00
Motion	\$ 6,000.00

Still Photos/Motion	\$	2,500.00
Still Photos	\$	250.00
Still Photos	\$	250.00
Still Photos	\$	1,600.00
Still Photos	\$	2,200.00
Motion	\$	2,200.00
Still Photos	\$	250.00
Still Photos	\$	250.00
Still Photos/Motion	\$	5,000.00
Still Photos/Motion	\$	1,600.00
Still Photos	\$	700.00
Still Photos	\$	1,400.00
Still Photos	\$	250.00
Still Photos/Motion	\$	2,000.00
	\$	51,600.00



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** January 28, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz,  
Town Manger

**Subject:** Ordinance No. 591.19– Amending Code, Chapter 46, Section  
46-85, Height of the deck of the dock.

Item Number:

1

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### **Recommendation:**

It is recommended that the Town Council adopt the attached Ordinance No. 591.19 as presented.

### **Background:**

At the October 15, 2019 Regular Town Council meeting, the Mayor and Town Council directed staff to amend the code as it relates to decks of docks. The Council's desire is to allow for the deck of docks to be at the same elevation of seawall caps should the property owner desire to do so.

This Ordinance amends the code to allow for said to be achieved.

We will now allow for decks of docks and seawall caps to be at a maximum height of 4.425 NAVD-88, this Ordinance is changing the allowable maximum height of the deck of the dock to be at the maximum allowable seawall height of 4.425 NAVD-88.

### **Fiscal Impact:**

None.

**TOWN OF GOLDEN BEACH**

**ORDINANCE NO. 591.19**

**AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE IV OF CHAPTER 46 ENTITLED WATERWAYS, SEC. 46-85. HEIGHT OF SEAWALLS AND DOCKS AND EXTENSIONS OF DECKS OF DOCKS; TO ALLOW THE DECK OF A DOCK TO BE CONSTRUCTED AT THE A MINIMUM SEAWALL HEIGHT OF 3.425 NAVD-88 OR AT MAXIMUM SEAWALL HEIGHT OF 4.425 NAVD-88; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council periodically studies land development trends and issues and amends the Town's Land Development Regulations accordingly; and

**WHEREAS**, the Town Council has studied the current Code provisions of the Town and find that certain modifications are necessary and desirable to update various requirements for construction of a dock; and

**WHEREAS**, a public meeting was held before the Local Planning Agency (LPA) of the Town to review the proposed modifications to the Town's Land Development Regulations; and

**WHEREAS**, the Town Council held duly advertised public meetings to consider the proposed modifications to the Town's Land Development Regulations.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA:**

**Section 1. Recitals Adopted.** That the preceding "Whereas" clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

**Section 2. Code Amended.** That the Town of Golden Beach Code is hereby amended to modify Chapter 46 - Waterways of the Code of Ordinances as more fully set forth in the attached Exhibit "A", and by reference are made a part hereof.

**Section 3. Code Amended.** That is any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

**Section 4. Codification.** That it is the intention of the Town Council of Golden Beach, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Golden Beach Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 5. Repealer.** That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**Section 6. Effective Date.** That this Ordinance shall be in full force and take effect immediately upon its passage and adoption.

The Motion to adopt the foregoing Ordinance was offered by Councilmember Lusskin, seconded by Vice Mayor Bernstein, and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Kenneth Bernstein	<u>Aye</u>

Councilmember Judy Luskin            Aye  
Councilmember Jaime Mendal        Absent  
Councilmember Bernard Einstein    Aye

**PASSED AND ADOPTED** on first reading this 19<sup>th</sup> day of November, 2019.

The Motion to adopt the foregoing Ordinance was offered by \_\_\_\_\_.

seconded by \_\_\_\_\_, and on roll call the following vote ensued:

Mayor Glenn Singer                    \_\_\_\_\_  
Vice-Mayor Kenneth Bernstein        \_\_\_\_\_  
Councilmember Judy Luskin            \_\_\_\_\_  
Councilmember Jaime Mendal        \_\_\_\_\_  
Councilmember Bernard Einstein    \_\_\_\_\_

**PASSED AND ADOPTED** on second reading this \_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

\_\_\_\_\_  
MAYOR GLENN SINGER

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY

**EXHIBIT "A"**

**The Town of Golden Beach, Florida Code of Ordinances  
is hereby amended as follows:**

**CHAPTER 46 WATERWAYS**

**ARTICLE IV. SEAWALLS AND DOCKS**

**Sec. 46-85. Height of seawalls and docks and extensions of deck of dock.**

No seawall and no deck of any dock shall exceed an elevation of ~~3.425~~ 4.425 feet above the North American Vertical Datum of 1988 (NAVD-88) No cover shall be permitted to be erected in connection with any dock. The minimum elevation of the top of any seawall shall be 3.425 feet above NAVD-88 and the maximum elevation shall be 4.425 feet NAVD-88. For general historical information only, the May 8, 2018 amendment to this section, converted measurements from N.G.V.D. to NAVD resulting in revised seawall heights from a minimum of four feet N.G.V.D. to a minimum of five feet N.G.V.D. and from a maximum of five feet N.G.V.D. to a maximum of six feet N.G.V.D.



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160


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## MEMORANDUM

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**Date:** January 28, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Lissette Perez,   
Town Clerk

**Subject:** **Town Council Minutes**

Item Numbers:

2, 3, & 4

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### **Recommendation:**

It is recommended that the Town Council adopt the following minutes:

- October 15, 2019 Regular Town Council Meeting
- November 17, 2019 Local Planning Agency Hearing
- November 17, 2019 Regular Town Council Meeting





## TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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Official Minutes for the October 15, 2019  
Regular Town Council Meeting called for 7:00 P.M.

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### A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:09 p.m.

### B. ROLL CALL

**Councilmember's Present:** Mayor Glenn Singer, Vice Mayor Kenneth Bernstein, Councilmember Jaime Mendal, Councilmember Judy Lusskin, Councilmember Bernard Einstein

**Staff Present:** Town Manager Alexander Diaz, Town Attorney Steve Helfman, Town Clerk Lissette Perez, Finance Director Maria D. Camacho, Police Chief Rudy Herbello

### C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

### D. PRESENTATIONS / TOWN PROCLAMATIONS

- IGUANA ABATEMENT QUESTION AND ANSWER FORUM (Town Manager requested that North Miami Beach Water give their presentation first)
- NORTH MIAMI BEACH WATER UPDATE – water presentation was done first. Representative spoke about re-establishment of meter boxes, incoming project of the additional (new) antenna, and the approved ordinance to change the cycle of billing back to quarterly for residential accounts.

**Mayor Singer** stated that they used to be quarterly and they changed it to monthly. Asked why they are going back to quarterly billing cycles

**Leonard Scroggins, North Miami Beach Water Department Representative** stated that based off feedback they thought that would be the right way to go, over time they discovered its best to go back to quarterly

**Town Manager** stated to be more transparent when the City of North Miami Beach went to monthly there was a fee that was not being accurately collected that caused significant financial implications to the City. Also, it was more difficult for some of the users to pay on a monthly basis versus a quarterly basis. In addition to that there is a proposed rate increase that just passed to all of their users. In the interest of public record, there are some wholesale customers that either have initiated or have

threatened to initiate lawsuits against North Miami Beach as it relates to the rate increase. He has not recommended our council get involved from a legal perspective, because we have a clause in our franchise agreement with North Miami Beach that will allow us to benefit from the outcome.

**Resident Dr. Norman Gaylis, 179 Ocean Boulevard**, stated he would like to make a few responses to the presentation. It sounds great but the truth of matter is after multiple phone calls to the city, just today his meter was removed for further inspection. He showed a bar graph of his water usage and how it sky rocketed although there were no changes made. He had a plumber and leak specialist come out because North Miami Beach refuses to except that there is a problem. There has been nothing to explain the large volume of water being utilized. When he returned the information to North Miami Beach, they told him that it is what it is. That is when he went to the Town Hall Administration.

**Town Manager** agreed with Dr. Gaylis and stated that there are residents with even more dire situations. One of the things we started to get some traction on is the trust issue with the new automatic readers. We know that one of them at least was tested and was not functioning properly. Committed to him that when there is a meter that is questionable they will replace it and send it to the lab for testing. Where we have not seen traction is the credits. There are many reasons behind the credits, a lot of it has to do with the way the state law is written as it relates to water credits. If you have a water bill related issue, work with Michael Glidden and his team. Once we get the two antennas up and running we will see better readings. He encourages all of our residents to sign one person up in the house to receive notifications so that they can be alerted when there is an issue.

**Mayor Singer** stated that the issue is they are not getting back to the residents; they are just ignoring it, that is not right and that is why they are so upset.

**Mr. Samuel Zamacona, North Miami Beach Water Department Representative** stated that is what they are doing here today they are putting a face to the problem. They did have some personal changes made due to that issue. They are keeping a line of communication with the Town staff, through that line they are able to keep a good log of all of the complaints and calls they receive from Town.

**Vice Mayor Bernstein** asked if the meter goes to the lab and they determine it does not work does the resident get credit issued back.

**Mr. Samuel Zamacona** stated at that point they are able to give credit back because they are able to justify why the credit is needed.

**Resident Chris Masciatti, 322 South Parkway**, stated that he believes in February after he bought his home, the month prior he had a \$2,000 bill, the first bill was \$400 so he called North Miami Beach customer service, they could care less to help him, they told him to send an email and they would get to it when they get to it. Than he reached out to Town Hall and was directed to Mr. Glidden who was able to get him in contact with the right people. We figured out he had a leak, they fixed the problem and credited him back. However, if it was not for Town Hall he would have never been able to get in contact with anyone. As a contractor, he is suggesting two options, one go on a

vacation for a month and shut everything off to see what the bill will be. Two, install your own sub meter so that at the end of the cycle you can look at both numbers and see if the numbers match.

**Resident Dr. Beny Rub, 698 North Island Drive**, stated he has a different experience. For a long time he had water problems and high bills, the city has been very receptive to him they have come to his house and changed his meter, but he still has that problem. He has received credit but he does not know for what. He has had three people come in and the city has come in, they have closed all the valves but still no answer.

**Vice Mayor Bernstein** asked what is the plan going forward, is everyone going to have to go to Mr. Glidden for these types of problems.

**Mr. Zamacona** stated it is up to you as the customer you can come directly to them or through Mr. Glidden

**Town Manager** stated that we always encourage our residents to first go to North Miami Beach so that our staff can focus on other Town related business, but when you feel that you hit a wall or no one is calling you back than immediately let us know, because we do not want unsatisfied residents.

**Dr. Rub** stated that this is a Town issue and the residents need the Towns help once that gets resolved than maybe we could do that, because they have all been trying.

**Town Manager** stated we will continue to lead in the effort and Mr. Glidden will still be the lead on the effort. Hopefully, there will come a time where we all feel confident enough in the system that we can just rely on North Miami Beach independently but until that time we will continue to be the lead on it.

**Councilmember Einstein** asked if the 19 submerged meters were being effected due to them being submerged

**Town Manager** stated that on the meters that they have identified as submerged the Town would be taking on that responsibility to address raising them so the residents are not burdened with that, we are doing it from a public health perspective, we are working with three contractors to get prices to raise those boxes. North Miami Beach is supplying the materials needed to do so; it is a partnership between the two cities.

\*\*\*\* At this time the Iguana presentation was heard\*\*\*\*

**Town Manager** stated tonight they have two goals; one is to let the residents know that legally they are allowed to take whatever action they need to reduce the iguana population on their property. Two, to know that the Town is responsible for the Towns common areas, but the resident is responsible for control on their properties. We are not providing an individual white glove service to the homes. If three homes in the same area call Town hall than we will have iguana control go out there when we feel that it is becoming too burdensome on the neighboring areas home and try to reduce the population so that it is more manageable to the home owner.

## **E. MOTION TO SET THE AGENDA**

ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT AGENDA/ AND CHANGES TO AGENDA

## **F. GOOD AND WELFARE**

**Dr. Beny Rub, 698 North Island** asked if the milling will be done in time for the upcoming 5k race because it would not be safe to run on the roads if the work is not complete. Inquired about the houses with standing water that can cause a mosquito problem

**Town Manager** stated the race route has been changed to Ocean Boulevard and will not be affected by the milling. Stated we have increased our number of mosquito sprays and localized treatment with Clark Mosquito.

**Town Clerk** read letters into the record from the following residents:

**Alfred and Sydell Herrick, 625 Ocean Boulevard**

**Leon Huppert, 440 Golden Beach Drive**

**Dina Nicolella, 522 North Parkway**

**Ronni Bianco, 448 Golden Beach Drive**

## **G. MAYOR'S REPORT**

Spoke on street resurfacing, he knows that it is taken longer than expected but with the Jewish holidays, sea rise, and the bad weather, it has been delayed. It is an inconvenience for many people but sometimes we must take a step back before we take a step forward. Looking forward to the Halloween event, hoping to see all of the residents attend. Pleased how the new civic center is progressing. Appreciate everyone's input and suggestions; we have implemented a lot of them. The flooding situation we are aware of it and going to address it tonight in the manager's report. The tides are the highest level he has ever seen in over 20 years of living here. What is making it worse is the wind is coming out of the northeast, and it is blowing the water, which is causing beach erosion. This year it is the worse that has happened in years. Every year the beach comes back, people just have to be a little more patient.

## **H. COUNCIL COMMENTS**

**Councilmember Mendal** feels that we need a new auditor this year. Had the same one for many years and at least this year we need to find a new auditor considering we are starting this project.

**Councilmember Lusskin** stated that sometimes we take for granted all of the things the Town does for the residents. Just wanted to say thank you, does not know any community that does what we do.

**Vice Mayor Bernstein** stated it was impressive how the manager and Mr. Glidden handled the water issue with the residents. Asked if there is something, we can do to help residents know what different things they can do to help stabilize their properties. Thanked the council for permitting him to go through his comments, he spent some time with the manager and he is going to let him speak about it. Mentioned the resident that stated that they have no idea how much each of the projects is going to cost, that is why he wanted to have a workshop to be able to go over everything. He does believe that this council and residents are better served when we have an open forum so that we can get input from everyone.

**Councilmember Einstein** agreed with Vice Mayor Bernstein, stating he wants to make sure we have taken adequate due process means to let our citizens know what is happening with the project and have their input. Spoke on the issue of dogs barking at night. Police have been extremely responsive and it starts a chain reaction.

**Mayor Singer** spoke just briefly about the work that has been done to get to the new Town Hall.

**Vice Mayor Bernstein** stated that he strongly supports doing a new Town Hall, he is just concerned with the process we take to do it.

#### **I. TOWN MANAGER REPORT**

We cannot asphalt when the roads are wet. We are seeing water coming up through the dirt and on to our streets, asphalt will not adhere to wet pavement. It is in our best interest to allow us to do the project correctly so we do not have any issues on a moving forward basis. You will be notified the night before and the morning of when we are going to work in the front of your house. The water that we are seeing all over Town is directly related to the lunar cycle. Halloween day will be the highest the water will be in the intracoastal, we are concerned about the amount of water that we are going to see in our streets. If North Park is saturated and becomes a mud pit, that is not a safe environment for people to be walking and we will move the event to the beach pavilion. We will make that decision the day before. Because we are seeing more water, there are more transformer boxes smoking. Hot equipment and cold water creates smoke, that does not mean it is on fire, but please call the substation when you see a smoking box. As it relates to the beach, we have lost a lot of our beach. Beach re-nourishment is the responsibility of the individual homeowner, the Town does not charge permit fees, we help you expedite your permit through the state of Florida, and we help you facilitate how to get the sand on your property. Residents at the beach need to be cognizant that beach re-nourishment is your issue. If the council decides that beach re-nourishment should be a Town issue we now have to deal with public access issues. Beach re-nourishment should always remain an issue that is private. We are going to put together a shoreline stabilization plan. Typically, the months of December, January, and February bring sand back to our shores. There are over 33 homes in Town that are pushing water in to our streets and the Town's right-of-way due to elevations that have not been properly maintained. We will be issuing warnings and violations to try and correct those actions. Code requires that on an annual basis you are to check your elevations and maintain them. We are going to start enforcing that code because we are starting to see a lot of ground saturations causing flooding in areas we have never had flooding. The projected timeline for the canal maintenance project has been set. The

GPS boat thief is back, Hallandale was hit with seven thefts, and we will be doing some enforcement enhancements. Residents please check your boat frequently and let us know if anything is missing. Congratulated the police department on their reaccreditation.

**J. TOWN ATTORNEY REPORT**

None

**K. ORDINANCES – SECOND READING**

None

**L. ORDINANCES - FIRST READING**

None

**M. QUASI JUDICIAL RESOLUTIONS**

None

**N. CONSENT AGENDA**

- 1. Official Minutes of the September 17, 2019 First Budget Hearing and Regular Town Council Meeting**
- 2. A Resolution of the Town Council Recognizing Florida City Government Week, October 21 – 27.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RECOGNIZING FLORIDA CITY GOVERNMENT WEEK, OCTOBER 21 – 27, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES.

**Exhibit:** Agenda Report No. 2  
Resolution No. 2649.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2649.19

- 3. A Resolution of the Town Council Authorizing the Surplus of a 2019 Polaris 900 XP Ranger from the Town's Fleet.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE SURPLUS OF A 2019 POLARIS 900 XP RANGER FROM THE GOLDEN BEACH POLICE DEPARTMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 3  
Resolution No. 2650.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2650.19

Consensus vote 5 Ayes, 0 Nays. Items N1-N3 pass.

## **O. CIVIC CENTER COMPLEX MASTERPLAN DISCUSSION**

**Town Manager** stated that in 2017 Town Council instructed him to get more aggressive with that plan. In April of 2018, the Administration presented the civic center Taj Mahal plan for the civic center. The Council struck it down at that meeting saying it was too big and our residents will not support it. We made a commitment to come back with a plan that would require no assessments, required the basics, try to get an amenity for residents and do so in a manner that is responsible. Thought what if they could achieve the amenity for a resident by repurposing this current building. The current Town Hall is not historic. Not having two facilities reduces our cost immensely because we do not have to add the square footage for a new facility for that amenity. Before the elections, we did a survey asking our residents what are the amenities they want and do not want. During the elections, we did another survey asking our residents to rank the amenities in order of priorities. At the April 2019 meeting, the first phase of the design criteria was presented to the public. We took the months during the summer to advertise in the Town magazine, and e-blast stating civic center discussion, and no one came. He met with all the councilmembers during the summer and took the information from all of the members to put together the design criteria package. The decision was made from a cost perspective. So long as we spell out what we want and we guarantee a price, it does not matter what happens – any added expense are on them. It is bonded we require a bid bond, a building bond, and insurances. At the last council meeting after all our residents were invited to participate, and join us at the meeting publicly and independently, the public decided not to participate for whatever reason they chose not to. This council was presented a design criteria package that was ratified and voted on. This evening what I bring to you are some changes that we have made to the design criteria (changes are in red). All of the feedback that was received has been incorporated. The design criteria presented is the exact same one that was presented at the last meeting, with some minor changes that we are going to incorporate. Should everything go as planned, the RFP will be released on Friday. After the RFP is released, there will be a mandatory pre-bid meeting on November 15<sup>th</sup>. The request for proposals are due back on January 17 that is when we will do the bid opening at noon. On the 22<sup>nd</sup> and 23<sup>rd</sup> a selection committee appointed by this council will hear all presentations by those members who have responded. They will have until January 31<sup>st</sup> to rank the finalist for this council. The council will have a very public and open workshop on February 6<sup>th</sup> to meet with the top three firms. The council will then select and approve a responsible respondent. Then the Mayor, Manager and Town Attorney will begin the negotiations of the contract. Then we will come back to you for final ratification and approval. Once it is ratified and approved, the process begins at 30%, 60%, 90% and 100% of the plans design. Through a phase permitting project, the Administration as well as the Council will provide feedback on each phase of the plans

to make sure they are consistent with what they committed to. This permit process will be done through a third party, we are using special inspectors since most of the Town inspectors are residential and this is more commercial. Hopefully we will break ground on this project in November. As it relates to the audit issues, due to our audit requirements with bondholders it is too late for 2019 to get a new auditing firm. However, committing that for the 2020 audit we will go out for an RFP for a new auditing firm. I can assure you that our fiscal house is in good order.

**Councilmember Mendal** inquired about the new clay tennis court.

**Town Manager** stated that it is in the list of amenities. If it can be achieved.

**Councilmember Mendal** stated that it does not seem like there is enough space for this.

**Town Manager** stated that they do feel they can get rid of parking in front of Town Hall and provide parallel parking similar to South Park to still receive the benefits of parking, but get the green space needed for new amenities.

**Vice Mayor Bernstein** stated that one of the things he wanted was to maximize green space.

**Town Manager** stated that we are asking the respondents to provide a site plan and to propose how it should be laid out. The final decision as to whether we install a clay court or not is up to the Council. Do not want us to lose sight of what the objective is. Stated we should ask for the amenities we want up front, because we can always go and eliminate but not add. This Council, five meetings ago authorized a new clay court on the north side of Town using new non-clay technology so the maintenance has actually diminished in costs.

**Councilmember Mendal** stated that he does not want to go out and say let us do it all because it might diminish what they get back.

**Councilmember Einstein** asked the Town Manager to elaborate more on the design draw schedule on the plans we receive

**Town Manager** stated we will make a selection, than the Council will authorize him and the Mayor negotiate a contract with the attorney. Than we will bring back the contact for ratification. The design then begins. There are thresholds for review at 30%, 60%, 90% and 100%. At like 60% the super structure, foundation, and civil work has already been approved. So just like today in Golden Beach you can start your foundation and civil work without your final plans being approved, we are going to allow phase permitting on this project. There is no reason we are holding back the civil work to be delayed because that has no correlation with the final plans for the building itself.

**Councilmember Einstein** asked what is the biggest item that will be determined when we do the phase permitting

**Resident Chris Masciatti**, stated at 30% you should have the footprint and once that is done its going to be a lot of engineering mechanical, electrical, plumbing. After that, it



really is not anything major you can change, you have box there and the bones are the bones. You can ask to move a generator somewhere else you may have to pay for rewiring but that is about it, the footprint is the footprint.

**Town Manager** asked if Mr. Masciatti agrees that a project that is done through phase permitting is responsible and seems to be the industry's norm now.

**Mr. Masciatti** stated yes, because if you have to wait until you have a finalized permit, then you cannot start doing anything, so it will really hinder your construction project. You definitely want to phase it out start doing the pieces because you can always work out what's going to go inside.

**Town Manager** put into record, that all the members of the BRAB and some selected residents, Mr. Masciatti being one of them, were given the design criteria and asked to critique it. Mr. Masciatti took time out to critique page by page. Would like to thank him publicly for his service. He has also agreed to be part of our review team on a moving forward basis, and at 30%, 60%, and 90% he has agreed to be part of our consulting team that will help us review.

**Vice Mayor Bernstein** asked for clarification.

**Town Attorney** stated that in the architectural phase you are going to understand exactly what you are going to get. Once that is done, these other trades all follow. They are going to design the electrical, mechanical, and plumbing to the parameters you have specified.

**Resident Gisela Addis, 180 South Island Drive** asked what are the requirements for the amenities that they will be sending out

**Town Manager** stated the design criteria package is online, but in terms of basics we are asking for relocation of our existing volleyball court, basketball court, the addition of a clay court, a new dog park, to renovate this facility to have a gym, play room, party room, and a party terrace in the new facility. There will be an indoor enclosed AC space equivalent to the size of the beach pavilion that you can have parties at, and if you wish to go out the terrace outside you can hold another 300 people.

## **P. TOWN RESOLUTIONS**

### **4. A Resolution of the Town Council Authorizing Negotiations for the Financing of the Civic Center Complex Masterplan with City National Bank.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING NEGOTIATIONS FOR THE FINANCING OF THE CIVIC CENTER COMPLEX MASTERPLAN BETWEEN THE TOWN AND CITY NATIONAL BANK; PROVIDING FOR IMPLEMENTATION OF AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 4  
Resolution No. 2651.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2651.19

A motion to approve was made by Vice Mayor Bernstein, seconded by Councilmember Mendal.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

The motion passed.

**Town Manager** stated that this summer Mayor Singer and he met with six individual banks; the top three presented their best and final proposals. Based on terms and rates today, City National Bank came back with the most responsible term and loan. It is a 4-million dollar note on a draw schedule that we decide with an interest only during the construction period, it goes to a fixed rate of 2.67%. As a reminder we are using \$2-million in forfeited funds that we currently do not have in our hands to pay \$2-million dollars of that 4-million dollar loan, and we have 1.2-million dollars of our own money to make the \$5.2-million budget that we have for this project. There is more than enough non ad-valorem revenues to guarantee that note for ten years.

**Councilmember Einstein** asked the manager to walk him through the fine print that states we are taking out 1-million dollars.

**Town Manger** stated that we will need to take 1-million dollars out of our current depositor. What he is proposing is the Town take all of the builder bond money, which is about 1-million dollars and put that into that account.

**Councilmember Einstein** asked when we put the 1-million dollars in that account is it going to be an interest-baring account.

**Town Manager** stated that those things would have to be negotiated, but he guarantees them that they are. Until we can determine whether we are going to end our existing banking relationship with Northern Trust, we can easily move 1-million dollars out of our builder bond money into that account, meet that criteria, and evaluate on a moving forward basis if they want to maintain that relationship. We still maintain Northern Trust, SPA, and move the builder bond and have no problem.

**Mayor Singer** stated that they spoke to each bank and they all did a great job. Liked City National because they deal with a lot of cities and have a lot of experience.

**Town Manager** stated that two days prior to the final contract, they set the final rate. The goal is to get this to close relatively quickly. Going to try to lock this in within the next 30 to 45 days, bring it to Council for immediate action, and may do an initial draw to lock the rate in.

**Councilmember Lusskin** asked if this vote is to negotiate

**Town Manager** stated this vote is to authorize that we enter into a final negotiation to bring to you a contract with City National Bank for terms and rates indicative to the term sheets provided for you tonight

**Councilmember Mendal** stated he does not like that we do not have an actual number

**Town Manager** stated that none of the banks give you an actual number, they are all indicative rates until you are closing.

**Councilmember Mendal** stated he would have liked to see the break down of all the banks so that he can compare apples to apples

**Town Manger** stated for peace of mind, if the rate comes back higher than one of the other two banks, they can deny that contract.

**Councilmember Mendal** asked if they could negotiate with more than one bank.

**Town Manager** stated that they could only negotiate with City National Bank, if this is agreed to.

**Mayor Singer** stated his concern was the banks familiarity with dealing with government institutions, City National Bank did major city financing regionally

**Town Manager** stated that this actually helps the Town with having funds in different depositories.

**Mayor Singer** stated that every bank we dealt with wanted a depository relationship.

**Resident Ronnie Bianco, 448 Golden Beach Drive** asked about the operating costs and making sure that we can maintain this moving forward.

**Town Manager** stated that they have looked at these things, but all of these amenities will require minimal operating costs. Yes, there will be some increases, but we have purposely put in our own reserves knowing that we are going to build a new civic center complex. Trying to design something that we can afford without raising taxes or raising the millage rate. Not pledging a single tax dollar to this program, all of the revenues are coming from ad valorem dollars.

**Mayor Singer** stated that they have looked at everything. We feel confident based off our projections that we are sufficient and we can afford this.

**Town Manager** stated that he welcomes having a one-on-one meeting with her to go over the different aspects of the project and to receive her feedback on how the project

will move forward. Stated that we will add a section to the website that is dedicated to the civic center.

**Mrs. Bianco** recommended maybe they put a flyer in everyone's mailbox letting them know to go to the website for this information.

**5. A Resolution of the Town Council Appointing Members To the Security and Public Safety Advisory Committee.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; APPOINTING MEMBERS TO THE TOWN OF GOLDEN BEACH SECURITY AND PUBLIC SAFETY ADVISORY COMMITTEE PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2652.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2652.19

A motion to approve was made by Vice Mayor Bernstein, seconded by Councilmember Lusskin.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

The motion passed.

**Town Manager** stated that on the dais was a memo from Resident Services Director Michael Glidden concerning the Town's current committees and how they are staffed. Stated that tonight only two committee's members are being appointed and will look to either abolish committees or develop new committees.

**6. A Resolution of the Town Council Appointing Members To the Building Regulation Advisory Board.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; APPOINTING MEMBERS TO THE TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 6  
Resolution No. 2653.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2653.19

A motion to approve was made by Councilmember Luskin, seconded by Vice Mayor Bernstein.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Luskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

The motion passed.

**Town Manager** stated that they are breaking their own rules to allow for three alternates rather than two for more opportunities for quorum because we need to be able to have bodies.

**Vice Mayor Bernstein** asked if instead of having them as alternates, can we just make them members but only require quorum of a certain amount of people.

**Town Manager** stated we could do that as part of our clean up, but for tonight let's just do this. He likes that suggestion and the attorney wrote it down so we can definitely look at that.

## **P. DISCUSSION & DIRECTION TO TOWN MANAGER**

Mayor Glenn Singer:  
None Requested

Vice Mayor Kenneth Bernstein:  
None Requested

Councilmember Judy Luskin:  
None Requested

Councilmember Jaime Mendal:  
None Requested

Councilmember Bernard Einstein:  
• Docks and Seawalls

Change the ordinance to modify the length of the deck so that there is not a step down and it is leveled.

Town Manager Alexander Diaz

- Craig A. Smith High Tide Evaluation Report

**Town Manager** stated that our stormwater system functions, and it functions well. We have reevaluated all of the system, there is a minor repair that is needed in the north part of Town that is under the managers financial threshold so he is going to authorize that repair and that should alleviate the flooding we are seeing on the north end of Town. The flooding we are seeing at South Parkway has nothing to do with the system, it is all flooding based on tidal surge coming up from the ground and flooding our streets. Stormwater system has its own budget and funds itself. The pump station here at Town Hall functions well, but we are going to change the way it functions to alleviate some of the load on the other pumps. The flooding issues in Town – we see issues, we address them, it takes time to put together responsible approaches to fixing the issues. We hire engineers to provide reports so that we can adequately address it. A lot of the water you are seeing in Town is actually coming up through the ground independent of the seawall. Reminded everyone that your code today requires you on an annual basis to take elevation of your property and if it does not meet the elevation, to bring in fill and fill your elevation. Publicly put the Town on notice that on properties where we see ground water coming up and we believe it is an elevation issue we will require those homes to bring in fill and bring up their homes elevation.

**Mayor Singer** reminded everyone that the next council meeting is November 19, 2019.

**Q. ADJOURNMENT:**

---

A motion to adjourn the Council Meeting was made by Mayor Singer seconded by Vice Mayor Bernstein.

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 10:02 p.m.

Respectfully submitted,

*Lissette Perez*  
Lissette Perez  
Town Clerk



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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**Official Minutes for the November 19, 2019  
Local Planning Agency Hearing called for 7:00 P.M.**

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**A. MEETING CALLED TO ORDER**

Mayor Singer called the meeting to order at 7:10 p.m.

**B. ROLL CALL**

**Councilmember’s Present:** Mayor Glenn Singer, Vice Mayor Kenneth Bernstein, Councilmember Judy Lusskin, Councilmember Bernard Einstein

**Councilmember’s Not Present:** Councilmember Jaime Mendal

**Staff Present:** Town Manager Alexander Diaz, Town Attorney Lori Smith-Lalla (in for Steve Helfman), Town Clerk Lissette Perez, Finance Director Maria D. Camacho, Police Chief Rudy Herbello

**C. ADOPTION OF AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS**

**1. An Ordinance of the Town Council Amending the Town’s Code Chapter 14, Section 14-86 Lawn Mowers and Power Tools.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN’S CODE OF ORDINANCES TO REVISE CHAPTER 14, “ENVIRONMENT,” BY AMENDING SECTION 14-86, “LAWN MOWERS AND POWER TOOLS”, PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 1  
Ordinance No. 590.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 590.19

A motion to approve was made by Councilmember Lusskin, seconded by Vice Mayor Bernstein.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>

Councilmember Jaime Mendal  
Councilmember Bernard Einstein

Absent  
Aye

The motion passed.

**D. ADJOURNMENT:**

---

A motion to adjourn the Council Meeting was made by Mayor Singer seconded by Vice Mayor Bernstein.

Consensus vote 4 Ayes 0 Nays. Motion passes.

The meeting adjourned at 7:12 p.m.

Respectfully submitted,

*Lissette Perez*  
Lissette Perez  
Town Clerk





# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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**Official Minutes for the November 19, 2019  
Regular Town Council Meeting called for 7:00 P.M.**

---

## A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:10 p.m.

## B. ROLL CALL

**Councilmember's Present:** Mayor Glenn Singer, Vice Mayor Kenneth Bernstein, Councilmember Judy Lusskin, Councilmember Bernard Einstein

**Councilmember's Not Present:** Councilmember Jaime Mendal

**Staff Present:** Town Manager Alexander Diaz, Town Attorney Lori Smith-Lalla (in for Steve Helfman), Town Clerk Lissette Perez, Finance Director Maria D. Camacho, Police Chief Rudy Herbello

\*\*\*\* At this time Mayor Singer adjourned the Regular Town Council Meeting and opened the Local Planning Agency Meeting. \*\*\*\*

\*\*\*\* Mayor Singer reopened the meeting at 7:13 p.m.\*\*\*\*

## C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

## D. PRESENTATIONS / TOWN PROCLAMATIONS

RECOGNITION OF TOWN'S 5K COMMITTEE

\*\*\*\* Deferred to the January 2020 council meeting\*\*\*

## E. MOTION TO SET THE AGENDA

ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT  
AGENDA/ AND CHANGES TO AGENDA

**Town Manager** added Item #11 to the agenda, adding it to the consent agenda.

Consensus vote 4 Ayes, 0 Nays

## F. GOOD AND WELFARE

**Resident Alene Fishbein, 256 Golden Beach Drive**

Water issues in Town are the worse she has ever seen. Should not be an individual homeowner's problem. It is a problem of the entire town. We are a Town, we are a

group of people and we must take care of this Town. The past two days has had water in her driveway, never has she had this before.

**Resident Ernesto Cohen, 254 Golden Beach Drive**

The issue is not the seawall, the problem that we have is the water that comes from under the soil. When you keep your land low, the water that is coming from below it comes up. The issue is what do I do. Do I bring a lawsuit against the Town to get done what needs to be done. Asked if the water is coming from below but your calculations are for water that is coming from above, than the Town needs to explain to his engineers what they need to do.

**Town Clerk** read a letters into the record from the following residents:

**Vivian Norman, 132 South Island Drive**

**Sari T. Addicott, 155 Golden Beach Drive**

**Gabriel Eilenberg, 195 Golden Beach Drive**

**G. MAYOR'S REPORT**

Thinks we do need to add new cans to dispose of dog feces. Clarified that there is no bond on the New Town Hall project, it is a loan. Congratulated Michael Glidden and the staff for a successful Halloween event. Had a great response to the pre-bid meeting on November 15<sup>th</sup>. Twenty-nine firms were in attendance. Responses from the firms are due January 17<sup>th</sup>. Moreover, on January 29<sup>th</sup> and 30<sup>th</sup>, the oral presentations from these firms will be given and the selection committee will go listen, discuss the bids, and then come up with a rating service. A big concern is the beach erosion. This year it seems extraordinarily high. The Town Manager and I have visited some of the properties and we are trying to come up with some options to fix it. Appreciates everyone's patience with the street paving project, thinks the Town looks very nice now. Thanked Councilwoman Lusskin for a beautiful Veteran's Day event. In addition, thanked her for her work on the tea party. Heard we had a great turnout. Wished everyone happy, healthy holidays and a happy new year.

**H. COUNCIL COMMENTS**

**Councilmember Einstein**

In terms of doing Capital improvements there are a lot of things that everyone on the Council and in Town would like to do but the only way we can get money and fund things is either get loans, get grants or raise your taxes. The main thing he hears from people is "please don't raise my taxes". We are very sensitive to that and it takes a lot of creative things by the Mayor and the Town Manager to getting these things accomplished. When we go through these things, I would like for people to understand that we would love to fix all of these problems, but that is millions of dollars of money to fix these things and we have accomplished so much. That is what I want you to be aware of.

**Councilmember Lusskin**

The paving is great, you do not realize how bad the streets were until you repave. We in general keep the Town really clean and try to respond to all of the residents needs and we do a pretty good job. Thanked Lee Benayoun for all of her help with the tea party

and Destiny for all of her help with the party and the great job she did. Thanked Michael Glidden and Carol Larson for helping with the Veterans Day event. Stated she heard the 5K run was great. Asked for an update on the A1A corridor study.

### **Vice Mayor Bernstein**

Asked Town Manager to address certain resident concerns with the loan. Thinks the rising water with the ocean and the canals is the biggest issue in Golden Beach right now. Really thinks that we need to meet with someone from the State and figure out what possible ways we have to shore up the ocean. Congratulated Councilwoman Lusskin on having a great Veteran's Day event. In terms of Halloween, thinks that the Halloween party we have put together is one of the best parties around and it is great for the community. Only one complaint, on the traffic side of things nobody was able to get in and thinks that maybe next year we can open up the north end or maybe let people drive in up to a certain point.

\*\*\*\*Town Clerk read into the record Councilmember Mendal's report\*\*\*\*

**Councilmember Mendal** put into record his strong support for Resolutions 2656.19 and 2657.19. As well as supporting the passage for both ordinances on the agenda tonight.

## **I. TOWN MANAGER REPORT**

Spoke on the flooding in the streets. As it relates to Center Island, this Council already approved the design and the design for the pump station has already been done, we are waiting for funding. We are happy to report that on November 13, 2019 the state approved funding the Town's Center Island Pump Station Project. Center Island will get a brand new dual pump to take care of the flooding on Center Island by July of next year. On Verona and Golden Beach Drive we put in a work order there to fix the tidal flooding we are seeing there. Thanked the residents for their patience concerning the paving project and the fact that it took longer than expected. The beach erosion issue is not a simple issue. The second we start using public funds, we need to open up our beach to the public. We are the only city on the eastern seaboard that is not included in the army corps of engineer's beach re-nourishment project. This is because years ago the residents of this Town decided that they wanted to be excluded from that. We have hired the firm Olin Engineering to put together a shoreline stabilization project. Once we get the shoreline engineering report back we will make it available to our Ocean Boulevard residents for their feedback. We are also doing for the second time in the last twelve years a measurement of how much sand we have lost over the course of the last month. Very well aware of the issues, we do not just sit on our hands. We are trying to identify them, getting reports back takes time and finding solutions takes time. As it relates to canal maintenance, that project is fully funded at no additional increase to our residents. Canals are already being cleaned and that project is well underway and we will hopefully finish it by the second or third week in January. We have lowered your taxes three times. We have a lot of new projects coming up. We are not the only City that is having ground saturation. Seawalls are not holding water back, so you are seeing ground saturation. Asking our residents to work with us, but we are trying to do what we can to work with our residents. We do not have the resources to hire our own engineer's to deal with hydrology issues. We are partnering with Bal Harbor to share information on what we can do. Know that we are working hard to fix these problems for residents. No one issue or project takes priority over another. Thanked the staff for a great Halloween event, and thanked Councilmember Lusskin for a great Veterans Day event. Reminded everyone that we will not be meeting in the month of December, the month of December

we will be in recess. As it relates to the Civic Center project we had twenty-nine firms attend the pre-bid meeting, and we are hoping all twenty nine respond to our RFP due on January 17, 2020. A selection committee composed of residents will be listening to the presentation from the firms and making a recommendation to the Council of three firms they believe best meet our needs. Council will than have a workshop during the day on February 6 where they will meet and interview the three firms the committee has recommended. At the February meeting, the Council will select a firm to award the project. We are not asking the residents for one extra dollar from what you currently pay for these projects. The budget for the civic center project is 5.2 Million dollars of which 2-million dollars comes from forfeited assets, \$1.2 million comes from our current reserves, and the additional 2-million dollar note that the Council is approving tonight will be paid for through our existing budget. We have enough budget capacity in our budget to take on a 4-million dollar note. We are borrowing 4-million dollars, \$2-million of it will be paid back right away with forfeited assets money, leaving an outstanding balance of 2-million dollars. We have enough budget capacity in our current budget to take that debt service on without asking residents for any additional funds. We try to be very responsible with your budget.

#### **J. TOWN ATTORNEY REPORT**

None

#### **K. ORDINANCES – SECOND READING**

##### **1. An Ordinance of the Town Council Amending the Town’s Code Chapter 14, Section 14-86 Lawn Mowers and Power Tools.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN’S CODE OF ORDINANCES TO REVISE CHAPTER 14, “ENVIRONMENT,” BY AMENDING SECTION 14-86, “LAWN MOWERS AND POWER TOOLS”, PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 1  
Ordinance No. 590.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 590.19

A motion to approve was made by Councilmember Lusskin, seconded by Vice Mayor Bernstein.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Absent</u>
Councilmember Bernard Einstein	<u>Aye</u>

The motion passed.

**Town Manager** spoke on the item stating we adjusted the times; you can work from 8:00 A.M.-8:00 P.M. Monday-Friday and 10:00 A.M.-8:00 P.M. Saturday and Sunday. Reminded residents that this issue was brought to us by residents. When residents bring issues to us that they feel we should listen to, we bring it to the Council, the Council deliberates, and we have a public discussion.

**Resident Jeff Sonn, 264 South Parkway** asked for clarification as it relates to hand tools.

**Town Manager** stated this is for landscaping tools.

## L. ORDINANCES - FIRST READING

### 2. An Ordinance of the Town Council Amending the Town's Code Chapter 46, Section 46-85 Height of Seawalls and Docks.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE IV OF CHAPTER 46 ENTITLED WATERWAYS, SEC. 46-85. HEIGHT OF SEAWALLS AND DOCKS AND EXTENSIONS OF DECKS OF DOCKS; TO ALLOW THE DECK OF A DOCK TO BE CONSTRUCTED AT THE A MINIMUM SEAWALL HEIGHT OF 3,425 NAVD-88 OR AT MAXIMUM SEAWALL HEIGHT OF 4,425 NAVD-88; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 2  
Ordinance No. 591.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 591.19

A motion to approve was made by Councilmember Lusskin, seconded by Vice Mayor Bernstein.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Absent</u>
Councilmember Bernard Einstein	<u>Aye</u>

The motion passed.

**Town Manager** spoke on the item stating that this item fixes the step down requirement in the code for docks.

## **M. QUASI JUDICIAL RESOLUTIONS**

None

## **N. CONSENT AGENDA**

- 3. Official Minutes of the September 17, 2019 Local Planning Agency Hearing**
- 4. Official Minutes of the September 26, 2019 Final Budget Hearing and Special Town Council Meeting.**
- 5. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town and the Village of Miami Shores.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN AND THE VILLAGE OF MIAMI SHORES POLICE DEPARTMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2654.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2654.19

- 6. A Resolution of the Town Council Approving the Agreement between the Office of the State Attorney and the Town.**

A RESOLUTION OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING THE AGREEMENT BETWEEN THE OFFICE OF THE STATE ATTORNEY OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA AND THE TOWN OF GOLDEN BEACH; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 6  
Resolution No. 2655.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2655.19

**11. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town and the City of Sunny Isles Beach.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE CITY OF SUNNY ISLES BEACH AND THE TOWN OF GOLDEN BEACH; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 11  
Resolution No. 2660.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2660.19

Consensus vote 4 Ayes, 0 Nays. Items N3-N6 and #11 pass.

**O. TOWN RESOLUTIONS**

**7. A Resolution of the Town Council Authorizing the Issuance of Tax-Exempt Bonds or Notes for up to \$4,000,000.00 to Finance the Costs of A New Civic Center.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, INDICATING THE OFFICIAL INTENT OF THE TOWN TO ISSUE TAX-EXEMPT BONDS OR NOTES IN THE AMOUNT OF UP TO \$4,000,000 TO FINANCE THE COSTS OF CONSTRUCTION, INSTALLATION AND FURNISHING OF A NEW CIVIC CENTER WITHIN THE TOWN AND TO USE A PORTION OF THE PROCEEDS OF SUCH BONDS OR NOTES TO REIMBURSE EXPENDITURES PAID OR INCURRED PRIOR TO THE DATE OF ISSUANCE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 7  
Resolution No. 2656.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2656.19

A motion to approve was made by Vice Mayor Bernstein, seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>

Councilmember Judy Lusskin Aye  
Councilmember Jaime Mendal Absent  
Councilmember Bernard Einstein Aye

The motion passed.

**Town Manager** stated that the IRS requires this item.

**8. A Resolution of the Town Council Authorizing the Issuance of a Capital Improvement Revenue Note Series 2019 to Finance the Costs of a New Civic Center.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE ISSUANCE OF A CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2019, OF THE TOWN OF GOLDEN BEACH, FLORIDA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$4,000,000 FOR THE PURPOSE OF FINANCING THE COSTS OF CONSTRUCTION, INSTALLATION AND FURNISHING OF A NEW CIVIC CENTER COMPLEX MASTERPLAN, AND PAYING COSTS OF ISSUANCE OF THE NOTE; AWARDING THE SALE OF THE NOTE TO CITY NATIONAL BANK OF FLORIDA; PROVIDING FOR SECURITY FOR THE NOTE; PROVIDING OTHER PROVISIONS RELATING TO THE NOTE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 8  
Resolution No. 2657.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2657.19

A motion to approve was made by Councilmember Lusskin, seconded by Vice Mayor Bernstein.

On roll call, the following vote ensued:

Mayor Glenn Singer Aye  
Vice Mayor Kenneth Bernstein Aye  
Councilmember Judy Lusskin Aye  
Councilmember Jaime Mendal Absent  
Councilmember Bernard Einstein Aye

The motion passed.

**Town Manager** reiterated that we are not taking on new debt. At the end of the day, we are taking on a \$2-million note that we are going to pay back with monies we already



have in your budget. Under a worse case scenario that we do take on the 4-million dollar note, which is not what we are doing, our debt service for that loan is \$222,000 a year. We have 263,000 dollars set aside for debt service requirements if needed. Because we are only going to take out \$2-million over the course of the term of the loan, our debt service is only 120,000 dollars a year, leaving us with 163,000 dollars in available money for other capital projects.

**Mayor Singer** gave a quick summary of the note. We are financing through City National Bank. The amount is 4-million dollars to construct a new Town Hall. It is a 20-year amortization. The first 30 months will be interest only. After the 30-month period, it goes to a 10 year fixed rate of 2.96, based on the formula by City National Bank. After the ten years, it becomes a floating rate that is adjusted twice a year based off the same formula.

**Councilmember Einstein** inquired about the 2.96 rate; stated that it is based on a tax-free bond.

**Mayor Singer** stated that that rate for the Town to receive is very impressive.

**Town Manager** stated that after the first ten years, if we do not like what is happening with the market we can just go to another bank and ask for a ten year fixed rate loan.

**Beth Geduld, 126 Golden Beach Drive** still feels that this property right here can be demolished and we can sell a portion to build a home and wouldn't rush to rebuild this property.

**9. A Resolution of the Town Council Approving An Employment Agreement with Ingrid Gooden.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AN EMPLOYMENT AGREEMENT FOR CONTRACT EMPLOYEE INGRID GOODEN TO PROVIDE ACCOUNTING SERVICES; PROVIDING FOR IMPLEMENTATION AND FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 9  
Resolution No. 2658.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2658.19

A motion to approve was made by Councilmember Lusskin, seconded by Vice Mayor Bernstein.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Absent</u>

Councilmember Bernard Einstein      Aye

The motion passed.

**Town Manager** stated Ms. Gooden has been working with the town for some time while Mrs. Castellon is on maternity leave and extended leave. She has worked with the Town for years.

**10. A Resolution of the Town Council Appointing Members to the Civic Center Complex Masterplan Selection Committee.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; APPOINTING MEMBERS TO THE CIVIC CENTER COMPLEX MASTERPLAN SELECTION COMMITTEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:**      Agenda Report No. 10  
                    Resolution No. 2659.19

**Sponsor:**    Town Administration

**Recommendation:** Motion to Approve Resolution No. 2659.19

A motion to approve was made by Councilmember Luskin, seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Luskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Absent</u>
Councilmember Bernard Einstein	<u>Aye</u>

The motion passed.

**Town Manager** asked to amend the item to read that should the Town Manager need to change the appointment of a member of the committee, so long as he has three members of the Council to in writing confirm another member, that change can be made.

Consensus vote for the Town Manager's requested amendment 4 Ayes, 0 Nays

**P. DISCUSSION & DIRECTION TO TOWN MANAGER**

Mayor Glenn Singer:

- Individual Properties Ground Saturation

**Mayor Singer** stated we are not the only community that has this problem. We are going to do whatever we can to stop the issue, but we do have some limitations.

**Town Manager** stated that there are 38 homes in Town that have received a warning letter inviting them to come talk to us. Those are the homes where we see the most saturation. We want to apply for the same study Bal Harbor did and we want to do our own ground saturation study. Stated that we want to work with everyone to come to a solution. However, what we need is for every house that we see ground water coming up and leaving your property needs to stop. We need to work with the 38 homes that we have identified and fix the saturation issues. Some of the older homes will probably need to bring in some fill. As we identify these issues on your property, we will work with you to find solutions to fix the issues on your property. Reminded residents this is not a government issue, personal property issues are the responsibility of the property owner. Common areas are the communities responsibility. We legally cannot take government money and spend it on your private property.

**Mrs. Alene Fishbein** stated that 30 years ago, when she owned 264 South Parkway, she had a flooded driveway.

**Vice Mayor Bernstein** asked if the older properties do not have the same requirements and some do not have a retaining wall, what good is putting the fill

**Town Manager** stated the responsible approach is that even though you are not redeveloping your property, it is time for you to put in a retaining wall, and maintain your elevation. Are we the Town going to go to a property owner and say that our code now requires a retaining wall, put it in? Now the question to the Council is how aggressive (how much money) do you want our residents to spend to resolve these issues.

**Mayor Singer** stated that we need to walk before we run. Let's see what other communities are doing.

**Town Manager** stated that in the 12 years that he has been our manager, we have never enforced the minimum lot elevation because it would be a considerable expense.

**Mrs. Beth Geduld** asked if there is a way to recycle any of the demolished properties to put down as soil

**Mr. Cohan, 254 Golden Beach Drive** stated that is not the problem, the problem is the Town not allowing residents to do what they need to do to fix their properties elevation.

**Town Manager** stated that the code requires permeability. The solution is a very costly solution. The Town is not ready to come up with a final non-expensive solution to address the issue.

**Vice Mayor Bernstein** asked for clarification.

**Mr. Masciatti** spoke on the issue as well.

*\*\*\* Councilmember Einstein left at this time \*\*\**

**Town Manager** stated we are commissioning our own study, in the interim the 38 houses that we know we need to work with them on solving the issue, we will work with. We have a new Town Engineer, as it relates to water issues, he is a little bit difficult

because his obligation is to protect your Stormwater investment and sometimes that can burden our residents.

**Mrs. Alene Fishbein** reiterated that the Town needs to do something collectively to help with the situation of the flooding. We should spend the money now. Really, do not like to hear that certain people are cited for something that is not their problem.

**Town Manager** stated we will continue this discussion and bring back the reports to you in January. Reminded that the New Year's Party is December 31 and the theme is Havana nights.

Vice Mayor Kenneth Bernstein:  
None Requested

Councilmember Judy Lusskin:  
None Requested

Councilmember Jaime Mendal:  
None Requested

Councilmember Bernard Einstein:  
None Requested

Town Manager Alexander Diaz  
None Requested

#### **Q. ADJOURNMENT:**

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A motion to adjourn the Council Meeting was made by Councilmember Lusskin seconded by Vice Mayor Bernstein.

Consensus vote 3 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:51 p.m.

Respectfully submitted,

*Lissette Perez*  
Lissette Perez  
Town Clerk



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** January 28, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Member

**From:** Alexander Diaz,  
Town Manager

**Subject:** Resolution No. – 2661.20 Renewal of Contract for David  
Caserta Government Relations, Inc.

Item Number:

5

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### **Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2661.20 as presented.

This resolution approves the contract with David Caserta Government Relations, Inc., for Fiscal Year 2019/2020.

### **Background:**

In an effort to maintain the proper contracts on file with our vendors I am asking that the Town Council approve the current consultant contracts. The Town has had an existing relationship with David Caserta Government Relations, Inc. since February 22, 2005. David Caserta Government Relations, Inc. was retained as an independent consultant to assist the Town in its government relations efforts at the State Level.

We recommend that we retain his services for an additional year.

### **Fiscal Impact:**

The funds for these contracts were approved during the budget process. For Fiscal Year 2019/2020 the amount is \$36,000.00, plus expenses.

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2661.20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A NEW AGREEMENT WITH DAVID T. CASERTA GOVERNMENT RELATIONS, INC. FOR CONSULTING SERVICES FOR THE PERIOD BEGINNING NOVEMBER 1, 2019 THROUGH OCTOBER 31, 2020; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town wishes to enter a new agreement for consulting services with David T. Caserta Government Relations, Inc. (the "Consultant"), for the period of November 1, 2019 through October 31, 2020 which is attached hereto as Exhibit "A" (the "Agreement"); and

**WHEREAS**, the Town Council finds that the engagement of David T. Caserta Government Relations, Inc. under the terms of the Agreement is in the best interest of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That each of the above-stated recitals is hereby adopted and confirmed.

**Section 2. New Agreement.** That the Agreement attached hereto as Exhibit "A" is hereby approved, and the Mayor is hereby authorized to execute the Agreement, on behalf of the Town, once approved as to form and legal sufficiency by the Town Attorney.

**Section 3. Implementation.** The Mayor and Town Manager are authorized to take any and all action necessary to implement and enforce the purposes of this Resolution and the Agreement on behalf of the Town.

**Section 4. Effective Date.** That this Resolution shall be effective immediately upon adoption.

Sponsored by the **Town Administration.**

The Motion to adopt the foregoing Resolution was offered by \_\_\_\_\_,  
seconded by \_\_\_\_\_ and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Kenneth Bernstein	_____
Councilmember Judy Lusskin	_____
Councilmember Jaime Mendal	_____
Councilmember Bernard Einstein	_____

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach,  
Florida, this 28<sup>th</sup> day of January, 2020.

ATTEST:

\_\_\_\_\_  
MAYOR GLENN SINGER

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY

## AGREEMENT

This Agreement for services is entered into this 1st day of November 2019 by and between, Town of Golden Beach (Town @ One Golden Beach Drive, Golden Beach, Florida 33160) and David Caserta Government Relations, Inc., (Consultant@ 15165 NW 77<sup>th</sup> Avenue #1001, Miami Lakes, Florida 33014).

WHEREAS, Town is a municipal government located in Miami-Dade County; and

WHEREAS, Town is in need of consulting services at the State level; and

WHEREAS, Consultant shall assist Town with its government relations efforts at the State level.

NOW THEREFORE, for ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is hereby mutually agreed as follows:

1. Recitals. The above recitals are true and correct and incorporated as part of this agreement.
2. Consultant Services. Consultant is hereby retained as an independent consultant to Town to assist Town in its government relations efforts at the State level. Consultant will track legislation and work with elected officials and staff in an effort to provide effective representation in order to ensure modification, passage or defeat of government action. Consultant's services are limited to providing the above stated service and Consultant is



not obligated to provide any other additional services without a written amendment to this Agreement. Company Acknowledges that Consultant shall comply with all Lobbying laws and requirements set forth in Florida Statutes 11.045.

3. Term. The term of this Agreement shall commence effective as of November 1, 2019 and end on October 31, 2020.

4. Compensation. In consideration for this Agreement, Town shall pay Consultant a fee of Thirty Six Thousand Dollars (\$36,000.00) for services. Fee shall be payable as follows;

- \$3,000.00 payable on November 1, 2019.
- \$3,000.00 payable on 1<sup>st</sup> day of each month thereafter with the last payment due and payable on October 1, 20, unless a written extension is authorized by all parties.

5. Expenses. Town shall also pay the Consultant, for all reasonable costs incurred and all expenditures made on behalf of the Client, including, but not limited to, travel, lodging, and meals in conjunction with representation of the Client. Such amount shall be immediately due and payable. Expenses, for the term of this agreement, shall be limited to \$4,000, unless modified in writing and authorized by all parties.

6. Relationship of Parties

6.1 Consultant's and Town, their agents, representatives, and employees shall, under no circumstances, be deemed partners, joint venturers, agents, employees or representatives of the other. Consultant's are independent contractors and shall not be liable in

any way whatsoever for the nature and quality of the work performed by Town. In performing Services under this Agreement, Consultants shall operate as and have the status of an independent contractor and shall not act as or be an agent or employees of Town. All of Consultant's activities shall be at its own risk and Consultant shall not be entitled to Workers' Compensation or similar benefits or other insurance protection provided by Town. As independent contractors, Consultant shall be solely responsible for determining the means and methods for performing the Services. Consultant will determine the time, the place, and the manner in which they will provide the Services. Town will receive only the results of Consultant's Services. Town shall provide no office space, secretarial services, or other support for Consultant's Services.

6.2 The Town agrees that Consultant assume no liability to the Town or any third party with respect to the performance or the action or inaction of the Town. Consultant agrees that Town assumes no liability to any third party with respect to the performance or the action or inaction of Consultants.

6.3 The Town and Consultant hereby agree to indemnify and hold each other, their officers, directors, shareholders and employees harmless from and against any and all claims, causes, losses, obligations, judgments, liabilities, expenses, damages and costs whatsoever, including attorneys' fees and costs at arbitration, trial and appellate levels, which in any way arise from such Party's action or inaction. This indemnification shall continue in full force and effect subsequent to and notwithstanding the expiration or termination of this Agreement.

7. Termination. Consultant or Town may terminate this Agreement at

anytime for a breach of this Agreement or for any justifiable reason and the non-breaching party shall be entitled to pursue all available legal rights and remedies.

8. Enforceability. Any provision of this Agreement prohibited by law or by court decree in any locality or state shall be ineffective to the extent of such prohibition without in any way invalidating or affecting the remaining provisions of this Agreement as if the provision or part declared void or invalid had never been incorporated in the Agreement and the remainder of the Agreement shall continue to bind all parties.

9. Notice. For purposes of serving written notice herein, the respective addresses of the parties, unless changed by notice in writing, shall be as noted in the first paragraph of this Agreement. Any notice required or desired hereunder shall be deemed given upon receipt.

10. Governing Law. This Agreement shall be construed and interpreted in accordance with the laws of the State of Florida.

11. Jurisdiction and Venue. Jurisdiction and venue shall lie in the State Courts of Miami-Dade County, Florida for any dispute which arises out of this agreement.

12. Modification. This Agreement contains the full terms agreed to by the parties and shall not be modified, except in writing, signed by both parties.

13. Waiver. Failure to enforce any provision hereof shall not constitute a waiver of a party's right thereafter to enforce each and every such provision or any other provision.

14. Arbitration. In the event of any dispute arising out of this Agreement the parties agree that the same shall be submitted for binding arbitration in accordance with the rules of the American Arbitration Association, then in effect. Arbitration shall be in Miami-Dade County, to be held before a single arbitrator.

15. Attorneys' Fees. The prevailing party in any dispute shall be entitled to recover all costs and expenses, including attorneys' fees, including fees for trial and appellate courts.


16. Caption and Numbers. The captions and numbers appearing in this Agreement are inserted only as a matter of convenience and in no way define, limit, construe or describe the scope or intent of such numbers, nor in any way affect this Agreement. Any pronouns or words shall refer to masculine, feminine or neuter, singular or plural, as the context requires.

17. Assignment. This Agreement shall be binding upon the parties hereto.

18. Authority. The individuals signing below represent and warrant that they have the authority to bind their respective companies to this Agreement.

19. Consultant shall use his best efforts in carrying out the responsibilities set forth in this agreement, but does not guarantee any outcome relating to such services.

IN WITNESS WHEREOF, the parties have set their hands and seals on the date before written.

**David Caserta Government Relations, Inc.**  
By:   
David Caserta, President (Consultant)

**Town of Golden Beach,**  
through its Town Manager

By: \_\_\_\_\_  
Alex Diaz, Manager

(Town Seal)



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** January 28, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz, *Alex B*  
Town Manager

**Subject:** **Resolution No. 2662.20 – Authorizing and Approving Payment of \$5,000.00 to the Diabetes Research Institute Foundation’s Love and Hope Event**

Item Number:

6

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### **Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2662.20 as presented.

### **Background:**

This resolution approves the donation made to the Diabetes Research Institute Foundation. This donation is in support of the foundation’s Love and Hope Event taking place on February 15<sup>th</sup> at Nobu, inside the Eden Roc Hotel.

### **Fiscal Impact:**

If approved by Council the amount authorized will be \$5,000.00.

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2662.20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$5,000.00 TO THE DIABETES RESEARCH INSTITUTE FOUNDATION'S LOVE AND HOPE EVENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Diabetes Research Institute (DRI) is the only national organization solely devoted to finding a cure for diabetes; and

**WHEREAS**, the DRI is the largest and most comprehensive diabetes research center dedicated to curing diabetes, aggressively working to shrink the timeline toward the discovery of a biological cure for this disease; and

**WHEREAS**, the Diabetes Research Institute Foundation is recognized as one of the world's most respected diabetes organizations, whose support through private philanthropy ensures the jumpstarting of new ideas and the continuation of innovative research projects that remain cure-focused and will ultimately benefit those with diabetes; and

**WHEREAS**, the Town Council finds that a contribution in the amount of \$5,000.00 to the Diabetes Research Institute Foundation is in the best interest of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That each of the above-stated recitals is hereby adopted and confirmed.

**Section 2. Authorization.** That the payment of \$5,000.00 to the Diabetes Research Institute Foundation is hereby authorized and approved.

**Section 3. Implementation.** That the Mayor and Town Manager are authorized to take any and all action which is necessary to implement this Resolution.

**Section 4. Effective Date.** That this Resolution shall become effective immediately upon approval of the Town Council.

Sponsored by the **Town Administration.**

The Motion to adopt the foregoing resolution was offered by \_\_\_\_\_, seconded by \_\_\_\_\_, and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Kenneth Bernstein	_____
Councilmember Judy Lusskin	_____
Councilmember Jaime Mendal	_____
Councilmember Bernard Einstein	_____

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this 28<sup>th</sup> day of January, 2020.

\_\_\_\_\_  
MAYOR GLENN SINGER

ATTEST:

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY





# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** January 28, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz,  
Town Manager

Item Number:

7

**Subject:** Resolution No. 2663.20 - Approving a Mutual Aid Agreement  
with the Town of Medley Police Department

---

### **Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2663.20 as presented.

### **Background:**

The Town of Golden Beach has entered into a number of mutual aid agreements which enable the Police Department to receive assistance from other agencies and to aid those agencies when they request it. This agreement provides for the Police Department to request assistance from and to provide assistance to the Medley Police Department.

The Town Manager, in consultation with the Mayor, recommends the Town Council approve the new agreement.

### **Fiscal Impact:**

There is no cost to the Town to participate.

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2663.20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN OF GOLDEN BEACH AND THE TOWN OF MEDLEY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Golden Beach, Florida (the "Town") wishes to enter into a Mutual Aid Agreement (the "Agreement") with the Town of Medley Police Department, Florida, attached to this Resolution as Exhibit "A" between the Town and the Town of Medley , described and outlined in the attached Agenda Item Report; and

**WHEREAS**, the Town Council believes that it is in the best interest to enter into the Agreement.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That each of the above-stated recitals is hereby adopted and confirmed.

**Section 2. Agreement Approved.** That the Agreement is hereby approved in substantially the form attached hereto as Exhibit "A," subject to approval by the Town Attorney as to form and legal sufficiency.

**Section 3. Implementation.** That the Mayor and Town Manager are authorized to take any and all action which is necessary to implement this Resolution.

**Section 4. Effective Date.** That this resolution shall become effective immediately upon approval of the Town Council.

Sponsored by **Town Administration**

The Motion to adopt the foregoing Resolution was offered by \_\_\_\_\_,  
seconded by \_\_\_\_\_ and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Kenneth Bernstein	_____
Councilmember Judy Lusskin	_____
Councilmember Jaime Mendal	_____
Councilmember Bernard Einstein	_____

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach,  
Florida, this 28<sup>th</sup> day of January, 2020.

ATTEST:

\_\_\_\_\_  
MAYOR GLENN SINGER

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY

**COMBINED VOLUNTARY COOPERATION AND  
OPERATIONAL ASSISTANCE  
MUTUAL AID AGREEMENT  
BETWEEN  
THE TOWN OF MEDLEY, FLORIDA AND  
THE TOWN OF GOLDEN BEACH, FLORIDA**

This Voluntary Cooperation and Operational Assistance Mutual Aid Agreement is made as of this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the TOWN OF MEDLEY, FLORIDA, a Florida municipal corporation, having its principal office at 7777 NW 72 Avenue, Medley, Florida 33166, and the TOWN OF GOLDEN BEACH, FLORIDA, a Florida municipal corporation having its principal office at 1 Golden Beach Drive, Golden Beach , FL 33160, and states as follows:

**WHEREAS**, it is the responsibility of the governments of the Town of Medley, Florida, and the Town of Golden Beach, Florida, to ensure the public safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situation; and

**WHEREAS**, there is an existing and continuing possibility of the occurrence of law enforcement problems and other natural and man-made conditions which are, or are likely to be, beyond the control of the services, personnel, equipment, or facilities of the Town of Medley Police Department or the Town of Golden Beach Police Department; and

**WHEREAS**, the Town of Medley and the Town of Golden Beach are so located in relation to each other that it is in the best interest and advantage of each to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to:

- (1) Continuing, multi-jurisdictional criminal activity, so as to protect the public peace and safety, and preserve the lives and property of the people; and

- (2) Intensive situations including, but not limited to, natural or manmade disasters or emergencies as defined under Section 252.34, Florida Statutes; and
- (3) Joint provision of certain law enforcement services specified herein and allowed pursuant to Florida Statute 166.0495; and

**WHEREAS,** the Town of Medley and the Town of Golden Beach have the authority under The Mutual Aid Act, Chapter 23, Part I, Florida Statutes, to enter into a combined mutual aid agreement for law enforcement services which:

- (1) Permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines; and
- (2) Provides for rendering of assistance in a law enforcement emergency.

**NOW, THEREFORE, BE IT KNOWN,** that the Town of Medley, a political subdivision of the State of Florida, and the Town of Golden Beach a political subdivision of the State of Florida, in consideration for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions.

**SECTION 1: PROVISIONS FOR VOLUNTARY COOPERATION**

Each of the aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may provide voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines. The nature of the law enforcement assistance to be rendered shall include but not be limited to:

- a. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Medley and the Town of Golden Beach for arrests, made pursuant to the laws of arrest, for felonies and misdemeanors, including arrestable traffic offenses, which spontaneously take place in the presence of the arresting officer, at such times as the arresting officer is traveling from place to place on official business outside of his or her jurisdiction, for

example, to or from court, or at any time when the officer is within the territorial limits of his or her jurisdiction.

- b. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Medley and the Town of Golden Beach for arrests, made pursuant to the laws of arrest, of persons identified as a result of investigations of any offense constituting a felony or any act of Domestic Violence as defined in Section 741.28, Florida Statutes, when such offense occurred in the municipality employing the arresting officer.
- c. Concurrent law enforcement jurisdiction in and upon the jurisdictional waters of the Town of Medley and the Town of Golden Beach for arrests, made pursuant to the laws of arrest, for felonies and misdemeanors and boating infractions.
- d. Participating in exigent situations, without the need for a formal request, including, but not limited to, area searches for wanted subjects, perimeters, crimes in progress, escaped prisoners, traffic stops near municipal boundaries, requests for assistance when no available local units are nearby, calls indicating a crime or incident has occurred in which a citizen may likely be injured and the assisting municipality is closer to the area than the officer receiving the call.
- e. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Medley and the Town of Golden Beach for investigations of homicides, sex offenses, robberies, assaults, batteries, burglaries, larcenies, gambling, motor vehicle thefts, drug violations pursuant to Chapter 893, Florida Statutes, and inter-agency task forces and/or joint investigations.

Prior to any officer taking enforcement action pursuant to paragraphs (a) through (e) above, the officer shall notify the jurisdiction in which the action will be taken, unless exigent circumstances prevent such prior notification, in which case notification shall be made as soon after the action as practicable. If the agency having normal jurisdiction responds to the scene the assisting agency's officer may turn the situation over to them and offer any assistance requested including, but not limited to, a follow-up written report documenting the event and the actions taken.

These provisions are not intended to grant general authority to conduct investigations, serve warrants and/or subpoenas or to respond without request to emergencies already being addressed by the agency of normal jurisdiction, but is intended to address critical, life-threatening or public safety situations, prevent bodily injury to citizens, or secure apprehension of criminals whom the law enforcement officer may encounter.

## **SECTION II: PROVISIONS FOR OPERATIONAL ASSISTANCE**

The aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may request and render law enforcement assistance to the other to include, but not necessarily be limited to dealing with, the following:

1. Joint multi-jurisdictional criminal investigations.
2. Civil affray or disobedience, disturbances, riots, large protest demonstrations and assemblies, controversial trials, political conventions, labor disputes, and strikes.
3. Any natural, technological or manmade disaster.
4. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
5. Terrorist activities including, but not limited to, acts of sabotage.
6. Escapes from, or disturbances within, prisoner processing facilities.
7. Hostage and barricaded subject situations, and aircraft piracy.
8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing person calls.
9. Enemy attack.
10. Transportation of evidence requiring security.

11. Major events, e.g., sporting events, concerts, parades, fairs, festivals, and conventions.
12. Security and escort duties for dignitaries.
13. Incidents requiring utilization of specialized units; e.g., underwater recovery, marine patrol, aircraft, canine, motorcycle, bicycle, mounted, SWAT, bomb, crime scene and police information.
14. Emergency situations in which one agency cannot perform its functional objective.
15. Joint training in areas of mutual need.
16. Joint multi-jurisdictional marine interdiction operations.
17. Off-duty special events.
18. DUI Checkpoints.

### **SECTION III: PROCEDURE FOR REQUESTING OPERATIONAL ASSISTANCE**

1. Mutual aid requested or rendered will be approved by the Chief of Police, or designee. The Chief of Police, or designee, of the agency whose assistance is sought shall evaluate the situation and the agency's available resources, consult with his/her supervisors, if necessary, and will respond in a manner he/she deems appropriate.
2. The Chief of Police in whose jurisdiction assistance is being rendered may determine who is authorized to lend assistance in his/her jurisdiction, for how long such assistance is authorized, and for what purpose such authority is granted. This authority may be granted either verbally or in writing as the particular situation dictates.
3. Specific reporting instructions for personnel rendering mutual aid will be included in the request for mutual aid. In the absence of such reporting instructions, personnel will report to the ranking on-duty supervisor on the scene.
4. Communications instructions should be included in each request for mutual aid and each agency's communications centers will maintain radio contact with each other until the mutual aid situation has ended.
5. Incidents requiring mass processing of arrestees, transporting prisoners, and operating temporary detention facilities will be handled per established procedures of the requesting agency or Chief of Police involved.



#### **SECTION IV: COMMAND AND SUPERVISORY RESPONSIBILITY**

##### **a. COMMAND:**

The personnel and equipment that are assigned by the assisting Chief of Police shall be under the immediate command of a supervising officer designated by the assisting Chief of Police. Such supervising officer shall be under the direct supervision and command of the Chief of Police or his/her designee of the agency requesting assistance.

##### **b. CONFLICTS:**

Whenever an officer is rendering assistance pursuant to this agreement, the officer shall abide by and be subject to the rules and regulations, personnel policies, general orders, and standard operating procedures of his/her own employer. If any such rule, regulation, personnel policy, general order or standing operating procedure is contradicted, contravened or otherwise in conflict with a direct order of a superior officer of the requesting agency, then such rule, regulation, policy, general order or procedure shall control and shall supersede the direct order.

##### **c. HANDLING COMPLAINTS:**

Whenever there is cause to believe that a complaint has arisen as a result of a cooperative effort as it may pertain to this agreement, the Chief of Police or his/her designee of the agency employing the officer who is the subject of the complaint shall be responsible for the investigation of the complaint. The Chief of Police or designee of the requesting agency should ascertain at a minimum:

1. The identity of the complainant;
2. An address where the complaining party can be contacted;
3. The specific allegation; and
4. The identity of the employees accused without regard as to agency affiliation.

If it is determined during the investigation of a complaint that the accused is an employee of the assisting agency, the above information, with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the agency for administrative review. The requesting agency may conduct a review of the complaint to determine if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

**SECTION V: LIABILITY**

Each party engaging in any mutual cooperation and assistance, pursuant to this agreement, agrees to assume responsibility for the acts, omissions or conduct of such party's own employees while engaged in rendering such aid pursuant to this agreement, subject to the provisions of Section 768.28, Florida Statutes, where applicable.

**SECTION VI: POWERS, PRIVILEGES, IMMUNITIES AND COSTS**

- a. Employees of the Town of Medley and the Town of Golden Beach when actually engaging in mutual cooperation and assistance outside of their normal jurisdictional limits but inside this State, under the terms of this agreement, shall, pursuant to the provisions of Section 23.127 (1), Fla. Stat. (as amended), have the same powers, duties, rights, privileges and immunities as if the employee was performing duties inside the employee's political subdivision in which normally employed.
- b. Each party agrees to furnish necessary personnel equipment, resources and facilities and to render services to each other party to this agreement as set forth above; provided, however, that no party shall be required to deplete unreasonably its own personnel, equipment, resources, facilities, and services in furnishing such mutual aid.
- c. The political subdivision that furnishes equipment pursuant to this agreement must bear the cost of loss or damage to that equipment and must pay any expense incurred in the operation and maintenance of that equipment.

- d. The political subdivision furnishing aid pursuant to this agreement shall compensate its employees during the time of the rendering of aid and shall defray (provide for the payment of) the actual travel and maintenance expenses of its employees while they are rendering aid, including any amounts paid or due for compensation for personal injury or death while its employees are rendering aid.
- e. The privileges and immunities from liability, exemption from laws, ordinances and rules, and pension, insurance, relief, disability, workers' compensation, salary, death, and other benefits that apply to the activity of an employee of an agency when performing the employee's duties within the territorial limits of the employee's agency apply to the employee to the same degree, manner, and extent while engaged in the performance of the employee's duties extraterritorially under the provisions of this mutual aid agreement. This section applies to paid, volunteer, reserve and auxiliary employees.
- f. Nothing herein shall prevent the requesting agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting agency for any actual costs or expenses incurred by the assisting agency performing hereunder.

**SECTION VII: FORFEITURES**

It is recognized that during the course of the operation of this agreement, property subject to forfeiture under Sections 932.701- 932.707, Florida Statutes, known as the "Florida Contraband Forfeiture Act," may be seized. The property shall be seized, forfeited, and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency pursuant of the provisions of the "Florida Contraband Forfeiture Act."

**SECTION VIII: INSURANCE**

Each political subdivision shall provide, upon request, satisfactory proof of liability insurance by one or more of the means specified in Section 768.28, Florida Statutes, in an

amount which is, in the judgment of the governing body of that political subdivision, at least adequate to cover the risk to which that party may be exposed. Should the insurance coverage, however provided, of any party be canceled or undergo material change, that party shall notify all parties to this agreement of such change within ten (10) days of receipt of the notice or actual knowledge of such change.

**SECTION IX: EFFECTIVE DATE**

This agreement shall take effect upon execution and approval by the hereinafter named officials and shall continue in full force and effect until \_\_\_\_\_, 2024. Under no circumstances may this agreement be renewed, amended or extended except in writing.

**SECTION X: CANCELLATION**

Either party may cancel its participation in this agreement upon delivery of written notice to the other political subdivision.

**IN WITNESS WHEREOF**, the parties hereto cause to these presents to be signed on the date first written above.

**AGREED AND ACKNOWLEDGED** this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
ROBERTO MARTELL  
Town Mayor  
Town of Medley, Florida  
Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
VICTORIA MARTINEZ  
Town Clerk  
Town of Medley, Florida

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
WEISS SEROTA HELFMAN COLE & BIERMAN, P.L  
Town Attorney  
Town of Medley, Florida

\_\_\_\_\_  
JEANETTE SAID-JINETE  
Chief of Police  
Town of Medley, Florida

\_\_\_\_\_  
GLENN SINGER  
Mayor  
Town of Golden Beach, Florida  
Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
LISSETTE PEREZ  
Town Clerk  
Town of Golden Beach, Florida

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN HELFMAN, P.A.  
Town Attorney  
Town of Golden Beach, Florida

\_\_\_\_\_  
RUDY HERBELLO  
Chief of Police  
Town of Golden Beach, Florida



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** January 28, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz  
Town Manager

**Subject:** Resolution No. 2664.20- Authorizing a State Revolving Fund  
(SRF) Loan Request

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Item Number:

8

**Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2664.20 as presented.

**Background:**

The Town adopted a Facility Plan for the Stormwater Pump Station for Center Island in 2018. Shortly after, the Town commenced the application process for funding of the project. This item allows the Town to submit an SRF Loan Request and enter into a loan agreement with the Florida Department of Environmental Protection (FDEP) under the SRF for financing the Project.

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2664.20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes provide for loans to local government agencies to finance the construction of stormwater treatment facilities; and

**WHEREAS**, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with loan program requirements; and to enter into a loan agreement; and

**WHEREAS**, the State Revolving Fund loan priority list designates Project No. \_\_\_\_\_ as eligible for available funding; and

**WHEREAS**; the Town of Golden Beach (the "Town") intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted and confirmed.

**Section 2. Loan Authorization.** The Town is authorized to apply for a loan to finance the Project.

**Section 3. Establishment of Pledge Revenues.** The revenues pledged for the repayment of the loan are \_\_\_\_\_. *[If there are no senior liens, include a statement so indicating.]*

**Section 4. Authorization.** The Town Manager is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

**Section 5. Designation.** The Town Mayor is hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance with its terms when signed by both parties. The Mayor and Town Manager are authorized to represent the Town in carrying out the Town's responsibilities under the loan agreement. The Mayor and/or Town Manager are authorized to delegate responsibility to appropriate the Town staff to carry out technical, financial, and administrative activities associated with the loan agreement.

**Section 6. Borrowing Authority.** The legal authority for borrowing moneys to construct this Project is under §166.021, Florida Statutes.

**Section 7. Conflict.** All resolutions or part of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**Section 8. Severability.** If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.



**Section 9. Effective Date.** This Resolution shall become effective immediately upon its passage and adoption.

The Motion to adopt the foregoing Resolution was offered by \_\_\_\_\_,  
seconded by \_\_\_\_\_ and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Kenneth Bernstein	_____
Councilmember Jaime Mendal	_____
Councilmember Judy Lusskin	_____
Councilmember Bernard Einstein	_____

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this 28th day of January, 2020

\_\_\_\_\_  
MAYOR GLENN SINGER

ATTEST:

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** January 28, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz,  
Town Manager

Item Number:

9

**Subject:** Resolution No. 2665.20- Approving the Proposal from  
Southeastern Engineering Contractors, Inc. for High Tide  
Improvements

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### **Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2665.20 as presented.

### **Background:**

Last year (2019) the Town assessed its Stormwater System to identify areas of vulnerability subject to Tidal influence.

We are also currently designing a plan to address ground saturation and make recommendations at a later time.

To alleviate Tidal Flooding, Craig A. Smith and Associates identified 11 maintenance modifications/repairs/additions (see attached) that will assist occasional Tidal Flooding throughout Town.

The Town received two proposals (attached) to implement the recommended maintenance to the existing system.

We are recommending that we award this maintenance work to the competitive respondent, Southeastern Engineering Contractors, Inc.

### **Fiscal Impact:**

\$131,512.00 from the Town's Storm Water Fund.

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2665.20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE PROPOSAL PROVIDED BY SOUTHEASTERN ENGINEERING CONTRACTORS, INC. FOR THE CONSTRUCTION OF HIGH TIDE IMPROVEMENTS WITHIN THE TOWN; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council has identified several areas of the Town which are prone to damaging flooding during periods of high tides; and

**WHEREAS**, the Town has determined that certain infrastructure improvements will help reduce the adverse impacts caused by the increase in high tides; and

**WHEREAS**, the Town's engineers have designed the improvements to address the problems; and

**WHEREAS**, the Town wishes to engage a construction firm to perform the remedial work designed by the engineers; and

**WHEREAS**, the Town Council has fully complied with bid procedures required by law in soliciting bids for the work; and

**WHEREAS**, the Town Council has determined that the proposal/bid submitted by Southeastern Engineering Contractors, Inc., attached hereto as Exhibit "A," (the "Proposal") is both responsive and responsible, and will well serve the needs of the Town residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted and confirmed.

**Section 2. Proposal Approved.** The Town Council hereby approves the Proposal.

**Section 3. Authorization.** The Town Manager is hereby authorized to enter into appropriate contract documents and to determine the priority in which the improvements are to be constructed at a cost not to exceed the price for such improvements provided for in the Proposal.

**Section 4. Implementation.** The Town Mayor and Town Manager are hereby directed to take all steps necessary to implement this Resolution, including the execution of the Proposal.

**Section 6. Effective Date.** This Resolution shall be effective immediately upon adoption.

The Motion to adopt the foregoing Resolution was offered by \_\_\_\_\_, seconded by \_\_\_\_\_ and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Kenneth Bernstein	_____
Councilmember Judy Lusskin	_____
Councilmember Jaime Mendal	_____
Councilmember Bernard Einstein	_____

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this 28<sup>th</sup> day January, 2020.

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MAYOR GLENN SINGER

ATTEST:

---

LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

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STEPHEN J. HELFMAN  
TOWN ATTORNEY



# CRAIG A. SMITH & ASSOCIATES

21045 Commercial Trail • Boca Raton, FL 33486

CONSULTING ENGINEERS • SURVEYORS • UTILITY LOCATORS

w w w . c r a i g a s m i t h . c o m

December 11, 2019

Alexander Diaz, Town Manager  
Town of Golden Beach  
1 Golden Beach Drive  
Golden Beach, FL 33160

**RE: TOWN OF GOLDEN BEACH  
HIGH TIDE STORMWATER REPAIR PROJECT  
REVIEW OF SUBMITTED BIDS  
CAS PROJECT NO. 16-0944**

Dear Mr. Diaz,

On December 9, 2019 the Town of Golden Beach received bids from two pre-qualified Contractors for the above referenced project. The bid amounts are as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Southeastern Engineering Contractors	\$131,512.00
Shenandoah Construction	\$163,692.70

Craig A. Smith & Associates (CAS) has reviewed the bids for completeness and conformance and has determined that Southeastern Engineering Contractors Inc. has provided the lowest responsive responsible bid for the Project.

Southeastern Engineering Contractors Inc. is a State Certified General Contractor (CGC) and a State Certified Underground Contractor (CUC) that has successfully completed work of a similar type and complexity. CAS reviewed the Florida DBPR website and found that Southeastern Engineering Contractors Inc. has current/active licenses without any listed license complaints.

Therefore, based on our review of the submitted bids, CAS recommends that the Town of Golden Beach award the **HIGH TIDE STORMWATER REPAIR PROJECT** to Southeastern Engineering Contractors Inc. with a bid total of \$131,512.00.

Alexander Diaz, Town Manager  
December 11, 2019

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Should you have any questions or comments, please do not hesitate to contact me.

Yours sincerely,

**CRAIG A. SMITH & ASSOCIATES**



Stephen C. Smith, P.E.,  
Town Consulting Engineer

Attachments: Bid Evaluation, dated December 10, 2019

cc: Orlando A. Rubio, P.E., - CAS  
Al Caruso, Project Manager - CAS

**TOWN OF GOLDEN BEACH HIGH TIDE STORMWATER IMPROVEMENTS**  
**10-Dec-19**

		QTY	UNIT	SOUTHEASTERN ENG. CONTRACTORS		SHENANDOAH GEN. CONSTRUCTION	
<b><u>NORTH ISLAND OUTFALL IMPROVEMENTS</u></b>							
1	INSTALLATION OF 42-INCH INLINE TIDFLEX CHECKMATE VALVE (PER EXHIBIT "A")	1	LS	\$22,604.00	\$22,604.00	\$38,834.75	\$38,834.75
2	REMOVAL OF EXISTING 42-INCH FLAP GATE AT SEAWALL	1	LS	\$5,640.00	\$5,640.00	\$7,500.00	\$7,500.00
<b>TOTAL</b>					\$28,244.00		\$46,334.75
<b><u>STRUCTURE No. 86 OUTFALL IMPROVEMENTS (NORTH OF NAVONA AVENUE)</u></b>							
1	INSTALLATION OF 36-INCH INLINE TIDFLEX CHECKMATE VALVE (PER EXHIBIT "B")	1	LS	\$17,700.00	\$17,700.00	\$27,970.70	\$27,970.70
2	REMOVAL OF EXISTING 36-INCH FLAP GATE AT SEAWALL	1	LS	\$5,640.00	\$5,640.00	\$6,500.00	\$6,500.00
<b>TOTAL</b>					\$23,340.00		\$34,470.70
<b><u>STRUCTURE No. 80 OUTFALL IMPROVEMENTS (SOUTH OF NAVONA AVENUE)</u></b>							
1	INSTALLATION OF 24-INCH INLINE TIDFLEX CHECKMATE VALVE (PER EXHIBIT "C")	1	LS	\$15,751.00	\$15,751.00	\$15,824.05	\$15,824.05
2	REMOVAL OF EXISTING CHECK VALVE IN STRUCTURE No. 80	1	LS	\$7,813.00	\$7,813.00	\$5,500.00	\$5,500.00
<b>TOTAL</b>					\$23,564.00		\$21,324.05
<b><u>STRUCTURE No. 30A IMPROVEMENTS</u></b>							
1	SEAL STRUCTURE No. 30A (INTERIOR/EXTERIOR) (PER EXHIBIT "D")	1	LS	\$5,230.00	\$5,230.00	\$9,467.50	\$9,467.50
2	REMOVAL OF EXISTING 42-INCH FLAP GATE AT SEAWALL	1	LS	\$7,330.00	\$7,330.00	\$7,500.00	\$7,500.00
3	REMOVAL AND REPLACEMENT OF EXISTING CONCRETE CURB AND APRON	1	LS	\$8,762.00	\$8,762.00	\$10,125.00	\$10,125.00
<b>TOTAL</b>					\$21,322.00		\$27,092.50
<b><u>SOUTH ISLAND OUTFALL IMPROVEMENTS</u></b>							
1	INSTALLATION OF 36-INCH INLINE TIDFLEX CHECKMATE VALVE (PER EXHIBIT "E")	1	LS	\$24,904.00	\$24,904.00	\$27,970.70	\$27,970.70
2	REMOVAL OF EXISTING 36-INCH FLAP GATE AT SEAWALL	1	LS	\$10,138.00	\$10,138.00	\$6,500.00	\$6,500.00
<b>TOTAL</b>					\$35,042.00		\$34,470.70
<b>PROJECT TOTAL</b>					\$131,512.00		\$163,692.70